

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

James E. Wynne Sr.
(Name of Plaintiff or Petitioner)

v.

**MOTION TO PROCEED *IN FORMA PAUPERIS*
AND SUPPORTING AFFIRMATION**

14 -CV- 6173

William C. Keith
(Name of Defendant(s) or Respondent(s))

I, James E. Wynne Sr., (print or type your name) am the plaintiff/petitioner in the above-entitled case and hereby request the Court's permission to proceed *in forma pauperis*.

In support of my motion to proceed without being required to prepay fees, costs, or give security therefor, I state that because of my poverty I am unable to pay the costs of this action or to give security therefor and that I believe I am entitled to redress.

I further declare that the responses which I have made in this affirmation below are true.

1. Are you presently employed? Yes ☐ No ☒
My Employer's Name and Address is: I am retired and I am presently in
Chapter 13 Bankruptcy Case NO (13-20304) all of my
income is accounted for in my Bankruptcy.
My Gross Monthly Wages are: \$ 3,775.00

If you are not presently employed, state

Your Last Date of Employment: _____

Your Gross Monthly Wages at that time: _____

Is your spouse presently employed? Yes ☐ No ☐

My Spouse's Employer's Name and Address is: _____

My Spouse's Gross Monthly Wages are \$ _____

2. Have you received **any money** from any of the following sources within the past twelve months:

- a. Business, profession or self-employment? Yes ☒ No ☐
If yes, state source and amount received per month \$ income property I also \$500.00
- b. Rent payments, interest or dividends? Yes ☐ No ☐ monthly to Chapter 13 trustee
If yes, state source and amount received per month \$ income property I also pay \$500.00 monthly
- c. Pensions, annuities, disability, or life insurance payments? Yes ☒ No ☐ to trustee
If yes, state source and amount received per month \$ _____
- d. Gifts or inheritances? Yes ☐ No ☒
If yes, state source and amount received per month \$ _____
- e. Child Support? Yes ☐ No ☐
If yes, state amount received each month \$ _____
- f. Government Benefits (Social Security, SSI, Welfare, AFDC, Veterans, etc.)? Yes ☒ No ☐
If yes, state source and amount received per month \$ 1968
- g. Friends, Relatives or any other source? Yes ☐ No ☒
If yes, state source and amount received per month \$ _____

If you have **not** received any money from any of the above sources, please explain how you are currently paying your expenses:

3. What is your total gross monthly income today: \$ 3,775.00

4. How much cash do you have on hand? \$ Approx 300.00

5. How much money do you have in a checking account(s)? \$ Approx. 300.00 after paying bills
6. How much money do you have in a savings account(s)? \$ None
7. If you are an inmate of a correctional facility, state the amount of funds in your inmate account (NOTE: prisoners must have inmate account balances certified by an authorized official of the correctional facility and must include a signed Authorization for payment of the filing fee): _____
8. Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? Yes ☒ No ☐
If so, describe the property in detail and give an estimated value of the property: 7 KENYEST CIVIL ASSAULT 122,800 3840 Lake Ave assessment 144,000 28-40 Elm Ave Assessment 77,000
If you own property, are you paying off a loan or mortgage on it? Yes ☐ No ☐
If yes where are you obtaining the money to make such payments: I have a reverse mortgage on 7 Kenyest Circle my primary residence.
9. If you are not an inmate, state your total monthly household expenses:
Rent or mortgage \$ _____ Food \$ 300.00 Utilities \$ 475.00 All other expenses \$ _____
If your monthly expenses exceed the amount of income you listed in # 3 above, please explain how you are paying your expenses

10. List all of the people who are in your household and state the amount of money each one contributes to household expenses each month: _____

11. List the persons who are dependent upon you for support, state your relationship to those persons, and indicate how much you contribute toward their support: _____

12. Have you been adjudicated bankrupt within the past ten (10) years? Yes ☒ No ☐
If the answer is yes, please include the court and date of filing I am presently in Chapter 13 Bankruptcy Filed February 27, 2013 Court No 13-20304

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 8-8-2014
(Date)

James J. Wynn Sr.
(Applicant's Signature)

PRISON CERTIFICATION SECTION

(Required for Prisoner Requests Only; Prisoner Requests Must Have This Section Completed By Prison Official)

I certify that the movant has the sum of \$ _____ on account to his/her credit at the _____
_____ Correctional Facility where s/he is currently confined.

I further certify that the movant has the following securities to his/her credit according to the institution's records: _____

I further certify that the movant's average account balance was \$ _____ during the last six months.

Signature of Authorized Officer of Institution

Print Name of Authorized Officer of Institution